

### **REMARKS**

Claims 1-14, 16 and 18-21 were presented for examination and were pending in this application. In an Office Action dated June 27, 2007, claims 1-14, 16 and 18-21 were rejected. Applicants have amended claims 1, 3, 7-10, 13 and 19-21 and now respectfully request consideration of the application in view of the above amendment and the following remarks.

#### ***Claim Objections***

Examiner has objected to claims 8 and 21 of informalities. Applicant has amended claims 8 and 21 accordingly. Thus, Applicant respectfully submits that all informalities with respect to claims 8 and 21 have been resolved.

#### ***Claim Rejections - 35 USC § 112***

Examiner has rejected claims 7 and 8 allegedly not specifically pointing out and distinctly claiming the subject matter that the Applicants regard as their invention.

Applicants have amended claim 7 to correct the informalities noted by Examiner. These amendments are made so as to more clearly define the invention, and not to narrow the scope of protection provided by the claims. Based on these amendments, Applicants kindly request withdrawal of these rejections and allowance of claim 7. As claim 8 depends from claim 7, these amendments also correct the informalities of claim 8. Hence, Applicants kindly request withdrawal of these rejections and allowance of claim 8.

*Claim Rejections - 35 USC § 102*

Claims 1, 3-9, 13, 14, 16 and 18-20 were rejected under 35 USC §102(e) as allegedly being anticipated by U.S. Patent No. 6,912,707 to Fontes, Jr. ("Fontes, Jr."). This rejection is respectfully traversed in view of the amended claims.

Claim 1, as amended, recites:

A method of merging first and second text files wherein the first and second text files are modified versions of a common text file, the method comprising the steps of:

producing a first set of stacked diffs between the first text file and the common text file;

producing a second set of stacked diffs between the second text file and the common text file; and

simultaneously displaying the first and second sets of stacked diffs, wherein common lines of text included in the first and second sets of stacked diffs are aligned and new lines of text included in each of the first and second sets of stacked diffs are aligned with blank lines of the other stacked diff.

Thus, claim 1 recites producing two sets of stacked diffs by comparing both the first text-file and second text file to a common text file. These two sets of stacked diffs indicate differences between the first text file and the common text file and the second text file and the common text file. The first set of stacked diffs and the second set of stacked diffs are then simultaneously displayed so that lines of text common to the first and second sets of stacked diffs are aligned and new lines of text included in each stacked diff are aligned with blank lines of the other stacked diff. Hence, a first text file and a second text file are compared to a common text file and the comparison results are displayed so that differences between the first text file and the second text file are easily identified. This beneficially simplifies identification of lines of text added to or deleted from the common text file by the first text file or the second text file.

In contrast, Fontes, Jr. discloses a method for comparing two graphical software objects with each other and generating a file describing differences between the graphical software objects. Fontes, Jr., Abstract. The method disclosed in Fontes, Jr. compares “a first graphical software object with a second graphical software object” to determine “a difference between the objects.” Fontes, Jr., col. 1, lines 31-33. As an example, Fontes, Jr. provides:

Architect 200 creates base drawing 300 and sends base drawing 300 to engineer 204 via path 202. While engineer 204 is creating revision 600, architect is creating revised base drawing 602. Engineer sends revision 600 back to architect 200, who must then combine the changes made in revised base drawing 602 with the changes made in revision 600.

Fontes, Jr., col. 4, lines 44-50. Thus, Fontes, Jr. only discloses a method for identifying and resolving “differences between drawing revisions.” Fontes, Jr. col., 1, lines 21-24. Rather than produce sets of stacked diffs between a first or second “text file and the common text file,” as claimed, Fontes, Jr. merely generates a “compare sheet” showing differences between drawing files by displaying drawing layers in different colors. Fontes, Jr. col. 10, lines 20-36. Fontes, Jr. discloses a method for comparing graphical, or drawing files, and nowhere discloses “a first text file,” “a second text file” or “a common text file,” but merely discloses “graphical software objects” or “drawing files.”

While Fontes, Jr. discloses using layers to display differences between two drawings, such as by displaying a first listing of layers in the base drawing and displaying a second listing of layers in the revision, this does not disclose “simultaneously displaying the first and second sets of stacked diffs, wherein common lines of text included in the first and second sets of stacked diffs are aligned and new lines of text included each of the first and second sets of stacked diffs are aligned with blank lines of the other stacked diff.” Rather, the listings of layers disclosed in Fontes, Jr. merely specify different components of different graphical software

objects and do not provide information regarding “lines of text” included in a first set of stacked diffs or a second set of stacked diffs. Fontes, Jr. col. 6, line 65 to col. 7, line 5; FIG. 12. As Fontes, Jr. does not make any disclosure of a “text file” but merely discloses “graphical software objects” or “drawing files,” there are no “lines of text” to align. As Fontes, Jr. exclusively discloses comparing graphical software objects, or drawings, there is no disclosure of “text files” or aligning “lines of text” as recited in different text files as recited in amended claim 1.

Furthermore, combining Fontes, Jr. with Hughes, Percival and/or Budinsky also fails to remedy the deficient disclosure of Fontes, Jr.

Thus, Applicants respectfully submit that for at least these reasons claim 1, as amended, is patentably distinguishable over Fontes, Jr. Therefore, Applicants respectfully request that Examiner reconsider the rejection and withdraw it.

As claims 3-9, 13 and 14 are dependent from amended claim 1, all arguments advanced above with respect to claim 1 are hereby incorporated so as to apply to claims 3-9, 13 and 14. Thus, Applicants respectfully submit that for at least these reasons claims 3-9, 13 and 14 are patentably distinguishable over Fontes, Jr. Therefore, Applicants respectfully request that Examiner reconsider the rejection and withdraw it.

Amended claim 20 similarly recites:

A computer readable medium including a computer program for merging first and second text files wherein the first and second text files are modified versions of a common text file, the computer readable medium comprising:

computer program code for producing a first set of stacked diffs between the first text file and the common text file and for producing a second set of stacked diffs between the text computer file and the text computer file; and

computer program code for simultaneously displaying the first and second sets of stacked diffs, wherein common lines of text included in the first

and second sets of stacked diffs are aligned and new lines included in each of the first and second sets of stacked diffs are aligned with blank lines of the other stacked diff.

Therefore, all arguments advanced above with respect to claim 1 are hereby incorporated so as to apply to claim 20. Thus, Applicants respectfully submit that for at least these reasons claim 20 is patentably distinguishable over Fontes, Jr. Therefore, Applicants respectfully request that Examiner reconsider the rejection and withdraw it.

As claims 16, 18 and 19 are dependent from amended claim 20, all arguments advanced above with respect to claim 1, as amended, are hereby incorporated so as to apply to claims 16, 18 and 19. Thus, Applicants respectfully submit that for at least these reasons claims 16, 18 and 19 are patentably distinguishable over Fontes, Jr. Therefore, Applicants respectfully request that Examiner reconsider the rejection and withdraw it.

***Claim Rejections - 35 USC § 103***

Claim 2 was rejected as allegedly being unpatentable over Fontes, Jr. in view of U.S. Patent No. 6,275,223 to Hughes (“Hughes”). This rejection is respectfully traversed.

As claim 2 is dependent from claim 1, all arguments advanced above with respect to amended claim 1 are hereby incorporated so as to apply to claim 2.

Hughes is cited to make up for the deficiency of “the first and second stacked diffs can be scrolled together” in Fontes, Jr. However, the combination of Fontes, Jr. and Hughes still fails to teach or suggest “simultaneously displaying the first and second sets of stacked diffs, wherein common lines of text included in the first and second sets of stacked diffs are aligned and new lines of text included in each of the first and second sets of stacked diffs are aligned with blank lines of the other stacked diff,” as recited in claim 1. Hughes merely discloses a “process and apparatus for code inspection.” Hughes, col. 3, line 30. To inspect the code, Hughes provides:

The inspect source window display 1500 comprises first and second code display windows 1502, 1502, each code display window displaying lines of source code. First source code display window 1501 displays original source code loaded from the configuration management system. On the same screen, and viewable side by side with the first source code window, second source code window 1501 displays new source code, the new source code being an amended version of the original source code, such that the lines of the original source code are directly comparable to corresponding lines of new source code.

Hughes col. 12, lines 25-35. Hughes merely discloses displaying the original source code and amended source code side by side, but does not align common lines of text included in the first and second sets of stacked diffs and align new lines of text included in each of the first and second sets of stacked diffs with blank lines of the other stacked diff. As shown in FIG. 15 of Hughes, lines of text common to both source code windows are not aligned. Rather, original and amended source code versions are merely displayed side-by-side for manual comparison. As Hughes fails to disclose “simultaneously displaying the first and second sets of stacked diffs, wherein common lines of text included in the first and second sets of stacked diffs are aligned and new lines of text included in each of the first and second sets of stacked diffs are aligned with blank lines of the other stacked diff,” Hughes fails to cure the deficiencies of Fontes, Jr.

Thus, Applicants respectfully submit that for at least these reasons claim 2 is patentably distinguishable over Fontes, Jr. and Hughes, both alone and in combination. Therefore, Applicants respectfully request that Examiner reconsider the rejection and withdraw it.

Claims 10, 12, 17 and 12 were rejected as allegedly being unpatentable over Fontes, Jr. in view of U.S. Patent No. 6,226,652 to Percival et al. (“Percival”). This rejection is respectfully traversed.

As claims 10 and 12 are dependent from claim 1, all arguments advanced above with respect to amended claim 1 are hereby incorporated so as to apply to claims 10 and 12.

As claim 21 is dependent from claim 20, all arguments advanced above with respect to amended claim 20 are hereby incorporated so as to apply to claim 21.

Percival fails to cure the deficient disclosure of Fontes, Jr. Rather, Percival merely discloses “a method and system for merging a plurality of varying versions of a set of computer files.” Percival, col. 1, lines 35-37. In Percival, “a side-by-side view of different part versions” of a set of computer files is presented to a user. Percival, col.4, lines 57-58. This allows a user to view different versions of computer files that have been changed by multiple users and to resolve the different versions by selecting and/or merging the different versions. *See* Percival, col. 6, lines 27-37. However, Percival does not disclose “simultaneously displaying the first and second sets of stacked diffs, wherein common lines of text included in the first and second sets of stacked diffs are aligned and new lines of text included in each of the first and second sets of stacked diffs are aligned with blank lines of the other stacked diff,” but merely discloses displaying different versions of edited computer files for user examination without aligning lines of text in the different versions. Hence, Percival fails to cure the deficiencies of Fontes, Jr. Thus, Applicants respectfully submit that for at least these reasons claims 10, 12 and 21 are patentably distinguishable over Fontes, Jr. and Hughes, both alone and in combination. Therefore, Applicants respectfully request that Examiner reconsider the rejection and withdraw it.

Claim 11 was rejected as allegedly being unpatentable over Fontes, Jr. in view of Percival in further view of U.S. Patent No. 6,407,753 to Budinsky et al. (“Budinsky”). This rejection is respectfully traversed.

As claim 11 is dependent from amended claim 1, all arguments advanced above with respect to claim 1 are hereby incorporated so as to apply to claim 11.

Budinsky has been cited to disclose the deficiency of “undoing the selection and copying steps” in Fontes, Jr. and Percival. However, the combination of Fontes, Jr., Percival and Budinsky still fails to teach or suggest “simultaneously displaying the first and second sets of stacked diffs, wherein common lines of text included in the first and second sets of stacked diffs are aligned and new lines of text included in each of the first and second sets of stacked diffs are aligned with blank lines of the other stacked diff” as recited in amended claim 1. Budinsky merely discloses “a system and method for integrating entities using a graphical user interface (GUI) to provide user-interactive rule-based matching and difference reconciliation.” Budinsky, col. 2, line 66 to col. 3, line 2. The system disclosed in Budinsky merely applies rules, either automatically or responsive to user-selection, to define entity composition. *See* Budinsky, col. 5, lines 4-22. However, Budinsky fails to disclose “simultaneously displaying the first and second sets of stacked diffs, wherein common lines of text included in the first and second sets of stacked diffs are aligned and new lines of text included in each of the first and second sets of stacked diffs are aligned with blank lines of the other stacked diff” so Budinsky does not cure the deficiencies of Fontes, Jr. and Percival.

Thus, Applicants respectfully submit that for at least these reasons claim 11 is patentably distinguishable over Fontes, Jr., Percival and Budinsky, both alone and in combination. Therefore, Applicants respectfully request that Examiner reconsider the rejection and withdraw it.

### **CONCLUSION**

In sum, Applicants respectfully submit that claims 1-14, 16 and 18-21, as presented herein, are patentably distinguishable over the cited references (including references cited, but



not applied). Therefore, Applicants request reconsideration of the basis for the rejections to these claims and requests allowance of them.

In addition, Applicants respectfully invite the Examiner to contact Applicants' representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

Respectfully submitted,  
Lawrence W. McVoy et al.

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By: /Brian G. Brannon/  
Brian G. Brannon, Registration No. 57,219  
Attorney for Applicants  
Fenwick & West LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
Tel.: (650) 335-7610  
Fax: (650) 938-5200